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Annex "A," Subparagraph 2h,
Political Background

KEY PERSONALITIES

•647 Certain special problems have given the Communist regime in Southwest China distinctive characteristics which become evident when we study the backgrounds, careers, and present administrative functions of fifty key personalities in this region.

The first special aspect which we note has to do with the significant number of senior leaders in the regional military administration. The interrelation between military and political control appears to be much closer than in other regions of China -- a situation which is due not only to the fact that Southwest China was the last area to be brought under Communist control but also to the circumstance that in this region Kuomintang and anti-Communist guerrilla activities have given the Communists the most trouble. Thus we find that the key men -- senior officials and Communist Party Central Committee members -- are military leaders, officials of the military districts and the 2nd Field Army rather than members of the provincial People's governments in the region. In fact, the relative

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647 unimportance of many of even the top-level provincial administrators is striking. Presumably this imbalance is gradually being rectified as administrative control becomes more secure and Party organizations more thoroughly entrenched.

A second special aspect of the Southwest China administrators as a group results from the large number of national minority groups in the region. These groups vary considerably in size and importance, and it is the avowed policy of the People's Republic to accord them equal and non-discriminatory treatment. We find, therefore, a certain number of administrators who come from these minority groups. We would logically expect to find these men on the Committee on Nationalities of the National People's Congress, and in fact most of them are. But on the other hand, it is worth noting that an almost equal number of administrators from Southwest China who have a place on this committee are not members of minority groups. Presumably this too will be changed as soon as more leaders from minor nationalities have been suitably trained by the Communists.

In addition to these special characteristics, we find other features which are more typical of the Communist administrative structure in

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647 other regions of China: a considerable overlapping of personnel in some key positions, apparently only nominal authority among the incumbents of most of the lesser positions, a calculated distribution of Communist Party personnel, and the presence of several former Kuomintang leaders in positions of considerable administrative importance who are, nevertheless, inevitably outranked by Communist officials.

I. SURVEY OF ADMINISTRATIVE POSITIONS HELD

This survey is concerned with fifty men who, with three exceptions, hold key regional and provincial posts in Southwest China. The three exceptions -- Ch'u T'u-nan, Lung Yün, and Hsiung K'o-wu -- have in the past held important administrative positions in Southwest China, but our data on their present positions notes only jobs on the national level. The remaining incumbents occupy the positions of commander of military districts (regional and provincial), political commissar of military districts (regional and provincial), commander and political commissar of the 2nd Field Army, governor and deputy-governor of provincial People's governments, provincial committee member of the Chinese People's Political Consultative Conference, president of provincial People's higher courts, and secretary of provincial and regional committees of the New Democratic Youth Corps (NDYC).

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647 We do not have enough significant data on the backgrounds, careers, or present status of sixteen of these men to include them in this analysis. We can simply record their functions in the administrative structure: five are NDYC officials (a secretary in each province and a secretary for the region of Southwest China); four presidents of People's higher courts (one in each province); and seven deputy-governors (one each in Szechwan and Kweichow, two in Sikang, and three in Yunnan).

The remaining 34 incumbents, then, include 13 deputy-governors (two in Yunnan, three in Kweichow, and four each in Szechwan and Kweichow); four provincial committee members of the Chinese People's P.C.C. (one in Kweichow, three in Szechwan); four commanders of provincial military districts (one for each province); three political commissars of provincial military districts (the political commissar for Kweichow is not known); four governors (one in each province); and the six men who are commanders, deputy-commanders, political commissars, and deputy political commissars of the Southwest China military district and the 2nd Field Army.

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II. INCUMBENTS HOLDING A SINGLE POSITION

647 Four of these 34 men (in addition to the 16 already noted, about whom we have no further information) hold only a single administrative position. Two are deputy-governors: Kung Tzu-chih, a former member of the Yunnan Provincial Government, who is now a deputy-governor of the Yunnan Provincial People's Government, and Jen Pai-ko, a deputy-governor of the Szechwan Provincial People's Government, who has been prominent in the Sino-Soviet Friendship Association since 1949 but who apparently holds no other offices at present.

The other two men who hold only one position are the governors of the Yunnan and Kweichow provincial People's governments. Kuo Ying-ch'iu, of Yunnan, was formerly a director of the Department of Political Affairs attached to the People's Liberation Army (1949), the deputy-director of the South Szechwan People's Government (1949-52) and the vice-chairman of the Yunnan Provincial People's Government (1952-54), but according to our data he holds no other administrative, military, or Party position at this time. Chou Lin, the governor of Kweichow, was formerly on the Southwest China Military and Political Committee and the Southwest China Administrative Committee

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•647 (in each case, simply as a member) and was a vice-chairman of the Kweichow Provincial People's Government. No other information on him is available.

We note that neither of these governors is known to hold a top Party position in his province. These posts are held by the political commissar of the Yunnan Provincial Military District (Hsieh Fu-chih) and the chairman of the Kweichow Provincial Committee of the Chinese People's P.C.C. (Shen Yün-p'u), who is, incidentally, one of the few non-military Party leaders in the region. The apparent lack of importance attached to the position of governor in these instances may, of course, be due to a lack of complete information, but to the extent that it represents a real situation, it is undoubtedly a result of a necessary emphasis on the military organization in the region.

III. INCUMBENTS HOLDING TWO POSITIONS

Eleven men each hold two administrative positions. In nine of these cases, the second position is that of delegate to the First National People's Congress. Five such men are deputy-governors: one in Sikang, one in Szechwan, and three in Kweichow. Two others also hold provincial positions in addition to their function

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647 as delegates to the 1st NPC: Li Hsiao-t'ing, vice-chairman of the Szechwan Provincial Committee of the Chinese People's P.C.C., and Li Ta-chang, governor of the Szechwan Provincial People's Government. Li Hsiao-t'ing was a member of the Revolutionary League of Dr. Sun Yat-sen from 1905 to 1913, but no details of his later career are known until 1950, when he was a member of the Southwest China Military and Political Committee, chairman of the People's Control Committee of the Southwest China Military and Political Committee, and member of the Standing Committee of the Szechwan-Sikang Provisional Committee of the Kuomintang Revolutionary Committee. Li Ta-chang was director of the Department of Propaganda of the T'ai-hang Sub-bureau of the North China Bureau of the Central Committee of the CPC during the Sino-Japanese War, and he has since held other Party and provincial positions, but at present he has, according to our data, no functions other than as governor of Szechwan and delegate to the 1st NPC.

The two remaining men in this group of delegates to the 1st NPC are Ch'u T'u-nan and Hsiung K'o-wu. Both hold national rather than regional or provincial positions: Ch'u is a member of the Standing Committee of the 2nd National Committee of the Chinese People's P.C.C., Hsiung is a member of the Standing

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• 647 Committee of the 1st NPC.

The last two men who hold only two positions are distinguished by their status as reserve members of the Central Committee of the CPC: Sung Jen-ch'iung and Ch'en Keng. Both are members of the National Defense Council, Sung is deputy political commissar of the Southwest China Military District, and Ch'en is commander of the Yunnan Provincial Military District. Because of the importance of their regional and national posts as well as their Party rank, these two men are included below in the group of administrators with top status.

IV. INCUMBENTS HOLDING THREE POSITIONS

Eight men each hold three positions. Four of these are almost identical: the three positions consist of delegate to the 1st NPC, membership on the Committee on Nationalities of the 1st NPC and deputy-governor. The only exception in this group is Shen Yün-p'u, who is not a deputy-governor but chairman of the Kweichow Provincial Committee of the Chinese People's P.C.C. and a member of the Kweichow Provincial Committee of the CPC.

647 The other four incumbents holding three positions include a former Kuomintang leader, Teng Hsi-hou, who is now deputy-governor in Szechwan, a delegate to the 1st NPC and a member of the National Defense Council; Ho Ping-yen, who is commander of the Szechwan Provincial Military District, delegate to the 1st NPC, and a member of the Szechwan Provincial People's Government; Yang Yung, commander of the Kweichow Provincial Military District, member of the National Defense Council, and Commander of the Chinese People's Volunteer Army in Korea (1955); and Wang Wei-chou, a reserve member of the Central Committee of the CPC, who is deputy-commander of the Southwest China Military District, delegate to the 1st NPC, and a member of the Standing Committee of the 1st NPC.

Because of the number and nature of their multiple positions, these four men are included in the group of key administrators discussed below. Shen Yün-p'u is also included because of his Party position and his occupancy of the important position of chairman of the Kweichow Provincial Committee of the Chinese People's P.C.C.

The true status of the other three men in this category is more difficult to appraise.

647 Two of the positions they hold are of lesser authority: delegate to the 1st NPC and deputy-governor. Furthermore, as we shall see, their positions on the Committee on Nationalities may give them little more than prestige. They should be noted, however, as persons who may carry considerable administrative weight, at least in their own nationality districts, and perhaps, ultimately on a national level. They are Kuo-chi-mu-ku (a member of the Yi minority from Sikang); Shargur Dobdeng (or Hsia-k'o Tiao-teng), a Tibetan from Sikang; and Sana-rygas-shes, also a Tibetan from Sikang. The first two are both former vice-chairmen of the Sikang Provincial People's Government; Shargur Dobdeng was also a member of the Southwest China Military and Political Committee, a member of the Committee on Nationalities Affairs of the Southwest China Military and Political Committee, and a member of the Southwest China Administrative Committee.

We have considerably more information on Sana-rygas-shes, a man whose colorful career suggests that in time he may become a figure of some significance. When the Red Army reached Tan-pa hsien in 1934, Sana-rygas-shes, then seventeen, co-operated with other Tibetans in Tan-pa hsien in organizing the Tan-pa United Government. He later served as director of the Department of Youth Affairs in the same

647 government. He subsequently became political commissar of the Tan-pa Detachment of the Red Army and, during World War II, he studied at the School of Nationalities in Yenan. After the war, he was active in the organization of Mongolian guerrilla forces in Southern Suiyan Province. Since 1949 he has been an active and prominent participant in the Communist administration; he was a delegate to the 1st Chinese People's P.C.C., a member of the Commission on Nationalities Affairs of the Government Administrative Council, chairman of the Tibetan Nationality Autonomous District of Sikang, member and vice-chairman of the Committee on Nationalities Affairs of the Southwest China Military and Political Committee, and member of the Southwest China Administrative Committee.

Although neither Sana-rygas-shes nor the other two minorities representatives discussed above appear to carry, at the present time, senior status among the group of key administrators, their status within their own groups and, as the Communists' nationalities policy becomes more fully implemented, their potential importance makes them worthy of special notice.

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V. INCUMBENTS HOLDING FOUR POSITIONS

• 647 Five men each hold four positions, and by virtue of both the number and nature of these multiple posts these men may all be included in the group of key officials in the region.

Two men are Party officials: Chang Chi-ch'un, a reserve member of the Central Committee of the CPC and secretary of the Southwest Bureau of the Central Committee, is also deputy political commissar of the 2nd Field Army, deputy political commissar of the Southwest China Military District, delegate to the 1st NPC, and member of the Standing Committee of the 2nd National Committee of the Chinese People's P.C.C.; Hsieh Fu-chih, secretary of the Yunnan Provincial Committee of the CPC, is political commissar of the Yunnan Provincial Military District, member of the Yunnan Provincial People's Government, delegate to the 1st NPC, and member of the Committee on Nationalities of the 1st NPC.

Two others are former Kuomintang members who joined the Communists in the late 1940s: Lung Yün, who is now delegate to the 1st NPC, member of the Standing Committee of 1st NPC, vice-chairman of the National Defense Council, and member of the Standing Committee of the 2nd National Committee of the Chinese

● 647 People's P.C.C.; and Chang Ch'ung, an Yi military leader under the Nationalist Government, who is now deputy-governor of Yunnan, delegate to the 1st NPC, member of the Committee on Nationalities of the 1st NPC, and member of the 2nd National Committee of the Chinese People's P.C.C.

The fifth man is Yen Hung-yen, whose career is known to us only since 1950, and who is currently deputy-governor of Szechwan, deputy political commissar of the Szechwan Provincial Military District, delegate to the 1st NPC, and member of the National Defense Council.

VI. INCUMBENTS HOLDING MORE THAN FOUR POSITIONS

The remaining six men hold a total of 32 positions. They are identified below and their Party and administrative functions noted. An analysis of their special characteristics and their relation to the group of senior officials as well as to the region as a whole will follow.

Liu Wen-hui is a former military leader who is now delegate to the 1st NPC, member of the Committee on the Budget of the NPC, member of the National Defense Council, member of the 2nd National Committee of the Chinese P.C.C., and vice-chairman of the Szechwan Provincial Committee of the Chinese People's P.C.C.

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647 Li Ching-ch'üan, whose early background we do not know, is deputy-political commissar of the Southwest China Military District, political commissar of the Szechwan Provincial Military District, member of the 2nd National Committee of the Chinese People's P.C.C., member of the Szechwan Provincial People's Government, and chairman of the Szechwan Provincial Committee of the Chinese People's P.C.C.

Liao Chih-kao, secretary of the Sikang Provincial Committee of the CPC, is currently governor of Sikang, commander and political commissar of the Sikang Provincial Military District, delegate to the 1st NPC, and member of the Committee on Nationalities of the NPC.

Ho Lung, who is a member of the Central Committee of the CPC, is commander of the Southwest China Military District, delegate to the 1st NPC, vice-chairman of the National Defense Council, deputy premier of the State Council, and chairman of the Commission on Athletics of the State Council.

Liu Po-ch'eng, veteran Party military leader, is commander of the 2nd Field Army, delegate to the 1st NPC, member of the Standing Committee of the 1st NPC, vice-chairman of the National Defense Council, and director of the Department of Military Training of the National Defense Council.

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647 Teng Hsiao-p'ing, top Party official for Southwest China, is also political commissar of the 2nd Field Army, political commissar of the Southwest China Military District, delegate to the 1st NPC, vice-chairman of the National Defense Council, deputy premier of the State Council, member of the Standing Committee of the 2nd National Committee of the Chinese People's P.C.C., and a member of the Central Election Committee.

VII. CHARACTERISTICS OF SENIOR LEADERS AS A GROUP

On the basis of the foregoing survey, we can select the 19 men who, because of the multiplicity of their positions, the relatively superior authority granted them by their various functions or their status in the Communist Party, constitute the top echelon of Southwest China's leadership. Even within this group, of course, we can observe the typical Communist pyramidal power structure: a very small number of senior Communist Party officials hold key positions both regionally and nationally and may be assumed to wield ultimate control. From the regional point of view, however, the group may be taken as a whole, and certain specific characteristics of the administrative structure of Southwest China noted.

647 Eleven of the 19 men are ranking Communist Party members (Li Ta-chang is included in this group because of his past Party status, although his present rank in the Party is not known.)

Teng Hsiao-p'ing, Liu Po-ch'eng, and Ho Lung are members of the Central Committee, and clearly constitute the core of Party control in the region. Wang Wei-chou, Sung Jen-ch'iung, Chang Chi-ch'un, and Ch'en Keng are reserve members of the Central Committee. Liao Chih-kao, Hsieh Fu-chih, and Shen Yün-p'u are officials on provincial committees of the CPC.

Five of these men have been Party leaders since the 1920s: Teng, Liu, Ho, Wang, and Ch'en. All participated in Communist uprisings in 1927 and all but Wang are known to have made the "Long March." Two others, Sung and Li, have been active at least since the 1930s. We have data on the remaining four only since 1949.

Four of the five veteran leaders -- that is, the men who have been active since the 1920s -- are military men. Liu Po-ch'eng is a Moscow-trained former Red Army Chief of Staff and former commander of the Central China People's Liberation Army. Ho Lung, who began his career as a bandit leader, rose to the rank of

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647 commander of the Shansi-Suiyuan People's Liberation Army before taking his present post of commander of the Southwest China Military District. Wang Wei-chou, a veteran of the Workers' and Peasants' Red Army (1927-36) was commander of the Communist garrison forces in East Kansu during World War II. Ch'en Keng began his military career in 1916 at the age of twelve as a private in the army of General Lu Te-p'ing and served in the Communist army from 1928 on, rising to the rank of commander of the 4th Army Corps of the 2nd Field Army of the People's Liberation Army.

It is noteworthy that five of the remaining Communist officials are closely connected with the military administration. Teng Hsiao-p'ing, who holds the top Party position in the region, was for fifteen years political commissar attached to Communist military forces and is now political commissar of the 2nd Field Army as well as of the Southwest China Military District and, on the national level, a vice-chairman of the National Defense Council. Sung Jen-ch'iung, National Defense Council member and deputy political commissar of the Southwest China Military District, is the right-hand man of General Liu Po-ch'eng. According to our data, he first became prominent in 1937 as the director of the Department of Political Affairs of the 29th Division of the 18th Group Army (the same

647 division which Liu commanded and to which Teng was attached from 1937 to 1946), and he is also a former commander of the Central Hopei Military District and deputy director of the Nanking Military Control Committee. Chang Chi-ch'un, Liao Chih-kao, and Hsieh Fu-chih are also associated with the military administration; they are political commissars of the 2nd Field Army, the Sikang, and the Yunnan provincial military districts, respectively.

All but two of these eleven key Communist Party leaders, then, have past careers -- as far as we know them -- and current positions that are essentially military. Li Ta-chang, the governor of the Szechwan Provincial People's Government, was director of the Department of Propaganda of the T'ai-hang Sub-bureau of the North China Bureau of the Central Committee of the CPC during the Sino-Japanese war and held the same position on the Northeast Bureau of the Central Committee of the CPC from 1945 to 1949. He was subsequently director of the South Szechwan People's Government, member of the Southwest China M.P.C., vice-chairman of the Szechwan Provincial People's Government and member of the Southwest China Administrative Committee. Shen Yün-p'u also has a non-military background: according to our information he was a member of the Committee on Cultural and Educational Affairs of the Southwest China M.P.C. from 1949 to 1952 and

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647 vice-chairman of the Kweichow Provincial People's Government in 1954.

The preponderance of military officials is a reflection of the difficulties encountered in subduing and integrating Southwest China, and is a characteristic which we might expect to be increasingly modified, as it has been in other regions of China. It is a characteristic which is further accentuated, however, by the inclusion of four former Kuomintang military leaders in this group of senior officials.

Lung Yün is a veteran Kuomintang military leader who reached the post of president of the Military Advisory Council of the Nationalist Government before going over to the Communists in 1949. Chang Ch'ung, a former bandit leader who served in the Yunnan Army from 1917 on, defected to the Communists after he and the forces he commanded were dispatched to Manchuria by Chiang Kai-shek to fight the Communists. Teng Hsi-hou served for many years in the Szechwan provincial army and, by 1924, held the rank of three-star general. After leading forces against the Japanese in Shansi, Shantung, and northern Kiangsu, Teng was appointed director of the Szechwan-Sikang Pacification Headquarters, a position which he held until he went over to the Communists in 1949. Liu Wen-hui also served in the Szechwan Army until he became chairman of the Szechwan

647 Provincial Government in 1929; he was subsequently appointed deputy director of the Szechwan-Sikang Pacification Headquarters.

We note that four of the 15 men discussed so far -- Liao Chih-kao, Hsieh Fu-chih, Shen Yün-p'u, and Chang Ch'ung -- are members of the Committee on Nationalities of the 1st NPC. Of this group only Chang Ch'ung is known to be a member of a national minority: he comes from an Yi family in Lu-hsi, Yunnan Province. The other three are Chinese, as far as we know, and Party officials. We might question, therefore the real weight of minority-group membership on the Committee on Nationalities. Although the proportion of Chinese members to minority members may change as more leaders from the lesser national groups are trained, the fact that the three Chinese members are also officials in the Communist Party suggests that the representation of the minorities is little more than a formal gesture.

The remaining four men in this key group of 19 do not appear to fit any of the main categories suggested above; they are not Communist Party members, Kuomintang veterans, or members of the Committee on Nationalities. On the other hand, tjwo are military men and two are political commissars of military districts. Whether they rise or fall in the Communist hierarchy may well be determined by

•647 how thorough a transformation is made from a military to a civilian administration and, of course, by what kind of Party status they achieve. None is known to have status in the Party at present.

Yang Yung's military career is known since 1937, when he was a regimental commander in the 8th Route Army. He rose to the rank of commander of the Air Forces of the Southwest Military District (1952-54) before becoming deputy commander, and then commander, of the Chinese People's Volunteer Army in Korea. He retains the post of commander of the Kweichow Provincial Military District and member of the National Defense Council.

The career of Ho Ping-yen, commander of the 18th Army Corps and the Szechwan Provincial Military District, is known since 1949, when he was deputy commander of the Chinghai Provincial District. In addition we know that he is also a former member of the S zechwan Provincial People's Government and of the Southwest China M.P.C.

Yen Hung-yen is first noted as director of the department of political affairs of an army corps sometime prior to 1950, when he became director of the East Szechwan People's Government. He held other non-military positions in

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647 Szechwan and is now a member of the National Defense Council as well as deputy political commissar and deputy governor in Szechwan.

Li Ching-ch'üan, first noted as director of the West Szechwan People's Government (1950-52), subsequently became chairman of the Szechwan Provincial People's Government (1952-54). He is still a member of the same government, and his other positions carry considerable authority: deputy political commissar of the Southwest China Military District, political commissar of the Szechwan Provincial Military District, chairman of the Szechwan Provincial Committee of the Chinese People's P.C.C., and member of the 2nd National Committee of the Chinese People's P.C.C.

These four men may be among the candidates for top rank in the Communist administration. In any case, their present status warrants their inclusion in the group of key administrators at this time.

The general conclusion of this survey must emphasize the state of transition in Southwest China. Its relatively recent date of conquest and the nature and extent of the various resistance forces have resulted in the military structure of the administration. As more Party cadres are trained and more nationalities representatives prepared for leadership, we will

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647 find changes in the administrative personnel emerging. Present conclusions based on the nature of the leadership of Southwest China may be invalid in a very short time, but the techniques and structure of control which they reveal appear to be constant features of the Chinese Communist administration.

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feet bound is to be the guardian door god, *pa mên shên* (把門神).

To bend one leg at the knee and bind it in that position with one arm stretched over the head and the other straight out, and then to tie the hair to a beam overhead is hanging up the military god of wealth, *tiao wu ts'ai shên* (吊武財神). Hanging up by the armpits and flogging represents the civil god of wealth (文財神).

In all there are said to be seventy-two kinds of these punishments, the inventions of a degraded humanity. Many of these cannot be learned by enquiry, while others are unfit for publication.

Duties of a District Magistrate,

Ta Ch'ing chou hsien kung shih (大清州縣公事)

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A new appointment is announced in the Provincial Treasurer's Yamen by a notice hung up. A notification on red paper is sent to the present official, giving his successor's name and other particulars; this is also posted in the yamen.

Those managing public business in the yamens collect money for the new magistrate's outfit—a thousand or perhaps several thousand taels, *ti hsü chih* (題須知). If the money is accepted these men will afterwards attend to affairs according to their own wills; otherwise the magistrate will be more free.

On the proper day men and horses are sent off to bring the new official. On arrival at the city gates he enters a pavilion put up for the purpose where a pig's head, feet and tail, *san shêng* (三牲), are prepared with candles and incense already burning, and he kneels and worships the city gates. Some officials are very superstitious as to the point at which they enter the city.

One of his first duties is to inspect the city walls, *yüeh ch'êng* (閱城), and he also worships in the Confucian temple. Both old and new incumbents worship the seals of office when these change hands. There is also a ceremony of kneeling and bowing toward Peking.

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On a lucky day at a lucky hour the seals are handed over in the yamen inner court in the presence of the official underlings and public men. After this the yamen runners march round the outer court, jumping as they go, and then go in and *k'o t'ou* to the new official. This is to welcome him and to acknowledge his authority.

He sends cards to the important men and offices in the city, after which people call to pay their respects.

Then the roll of underlings is called, including the writers, yamen runners and country headmen. This is afterwards done monthly.

The grain in the government granaries has to be measured, *yüeh ts'ang* (閱倉), before the former official leaves; but sometimes an estimate is made and a sum of money paid over to cover deficiency.

The retiring magistrate must receive an acknowledgment that all has been duly handed over. Unless he produces this to his superior officer in the capital he will not get a new post.

The new man puts out a proclamation, *kuan fang* (關防), telling the public he has brought no relatives or friends with him and that they are not to be deceived by any professing to be such.

The former official is escorted out of the city, and the guilds and shopkeepers cover his sedan chair with red silk or cloth. If he has been popular a big umbrella, embellished with many people's names, may be given to him; tables are set out in the street with wine and sweets.

An examination is held for candidates for the attorneys' or copyists' places, *k'ao tai shu* (考代書). Successful candidates, about eight in each district, have to pay thirty taels before receiving their seals. They may have associates who pay part of the money and use the same seals. All lawsuits pass through these men's hands. An indictment is not received unless written on the official paper and stamped by the official attorney.

On certain fixed days, usually the 3rd and 8th of each moon, the large doors of the yamen are thrown open and the

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647 693 indictments by poor people are received without fees, *fang kao* (放告). Such are not received on other days unless on the 1st and 15th as the magistrate returns from worshipping at the temple.

A table hung in the yamen gives a list of cases and dates of trial.

There are three courts in a yamen. The outer, *ta t'ang* (大堂), is the imperial court; the second, or *êrh t'ang*, is the district court and the inner, *hua t'ing* (花廳), is the magistrate's private court. Both when he takes his seat in the imperial court and when he adjourns the court, three guns are fired.

When a "coroners' inquest" is held a pavilion is put up for the magistrate and his retinue; his nose is filled with assafœtida, *o wei* (阿魏), and underlings carry incense. If the body is fresh the *wu tso* (仵作) simply calls out to the recorder the wounds, etc., on the body. In an important case, the magistrate himself examines what is said to be the fatal wound, *chih ming shang* (致命傷). If the body is decayed it is boiled in big pots, the bones are rubbed clean with cotton wool and the wounds show up on them! For such a case the *wu tso* has to call in experienced assistants. Some seventy or eighty different kinds of knives or instruments are brought into use; the bones of the body are counted and expected to number 360; the water-carriers are put on oath, since salt mixed with the water obliterates bruises on the bones.

If murder is suspected in a house and no traces can be seen, the room is shut up and thoroughly fumigated with mulberry leaves and the walls and floor are soaked with vinegar; then the blood will show up on the walls and even the position of the body may be clearly seen. This kind of inquest involves the expenditure of some thousands of taels and only the rich can indulge.

On returning from an inquest the magistrate in his chair goes through burning straw at his yamen entrance, to drive off noxious smells and evil spirits.

When there is a conflagration the magistrate must get up any hour of the night to assist. Underlings carry a

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huo kou (火鈎), a long pole with a hook on it for pulling down houses, and a *ma ta* (麻搭), or hemp mop on a pole, which is dipped in water and dabbled on freshly ignited places. In recent years force pumps have been introduced. The official orders the pulling down of houses to prevent the fire spreading, and he enquires when and how the fire originated. If a resident started it he will be beaten to expel the fire demon, and if it is not his first offence he may be expelled from the neighbourhood. An incendiary if caught will be put to death, as the crime is of equal gravity with murder and grave-robbing.

For the official duty of praying for rain, etc., see under Fasts. On the 1st and 15th of each month incense is burned, *chiang hsiang* (降香), in the temple of the city-god *ch'êng huang* (城皇), the god of War, the god of Literature, the god of Fire and perhaps elsewhere. The official may go himself or by deputy. A Mohammedan official will only act by deputy.

In spring and autumn, at fixed times, sacrifices of five pigs, five sheep and an ox are made to the Sage in the Confucian temple.

Sacrifices to the god of Agriculture are offered in March and September. The god is said to be Shên-Nung (神農) (B.C. 2700). He is also called Hou t'u (后土), and Ti shên (地神). These sacrifices are generally made in a field kept for the purpose, but used for farming between times. The offerings are pigs and sheep.

At the feast in the 7th moon and at Ch'ing ming offerings are made at the *li t'an* (厲壇), or altar of the discontented dead. Piles of paper money are burned in a roofless stone structure usually in the public burying ground. Sometimes the magistrate does this public duty by proxy.

The official does not attend on the execution ground, but he must see the prisoners bound and the heads must be brought back to him. He whips the executioner lest evil influences should be brought by him. (See under *Punishments.*)

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647 651 The collection of the land tax, *ti ting* (地丁), or *chêng liang* (正糧), is often managed by a semi-official dealer in taxes. He advances the money when necessary, at a high interest.

The tax is said to be two fen or candareens per *mou*, but it will often be two mace. In times of great distress it is remitted, *yu mien* (豫免), and also where land is silted up or washed away, *yung mien* (永免).

Besides the land tax there are the military expenses tax, *chün hsü* (軍需), and the willing contributions to government, *chüan shu* (捐輸). There is further a *pourboire*, or squeeze called *chin tieh* (津貼), and also *li chin* (厘金), or assessment on certain articles, etc.; thus the pig tax, which rose to 1,500 cash per pig; oil so much per *ts'ao* (槽) (120 catties); inns, so much per bed, etc.

Of late years a tax office, called *chin chüan* (津捐), has been opened in each county. A tax collector's position was reckoned much more lucrative than an ordinary district magistrate's.

Taxes in refined silver are sent to the capital under armed escort, all expenses being deducted.

Travelling expenses must be given to underlings of high officials passing through the district, and when a deputy official goes through he receives Tls. 50 besides travelling expenses.

Fuel and bedding must also be provided out of taxes to passing troops.

The train bands must present themselves, in uniform and with weapons, to answer the roll call.

Some headmen of "parishes" etc., must also appear. These are the *tsung pao* (總保), or head of a district; *t'uan shou* (團首), or head of 1,000 families; *chia chang* (甲長), head of 100 families; *p'ai shou* (牌首), head of 10 families; and *hua hu* (花戶), or head of each family. Only the first three need appear at review.

Each family is registered and is given a door-tablet with name and number in the family written on it; this costs about

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40 cash. The *tsung pao* is nominated by the people and appointed by the magistrate. The *t'uan shou* is elected by the "parish" and the *p'ai shou* by those concerned. Each reports to his superior, the *tsung pao* often having free access to the yamen. The *tsung pao* settles many local troubles and in lawsuits his word goes a long way; but bribery and injustice are very common.

The title deeds of newly purchased property have to be stamped, *yin ch'i* (印契), at the yamen; and the rate has risen to 2 per cent with 1,000 cash for the *ch'i wei* (契尾), a document sent to be kept in the provincial treasurer's yamen. Formerly an official about to leave office used to reduce the stamp fees, because all the money from this source went into his private purse; but latterly the tax-office has controlled this business.

The office of *lao tien* (老典) is sold for a term of five years. The price varies, of, course, in different places but in some places 3,000 taels are paid down with an annual payment of 1,000 taels: this belongs to the magistrate. In many places the gentry pay the incumbent 300 taels per annum, whether they have lawsuits or not, but if a guarantee against lawsuits is required much more is paid. These bureaus are where litigation is hatched and fostered, mismanaged and traded on, and the purchase money is very quickly recovered.

Hereditary pensions are paid to families of men who have done important service to the state, *fa yin hsi* (發蔭襲).

The hereditary barons among the tribesmen, *t'u ssŭ* (土司), receive taxes from their people and pay tribute to the court.

There are four spring officials, *ch'un kuan* (春官), one for each city gate, whose duties are to superintend the making of the spring ox and driver, *mang shên* (芒神). On the coming in of spring, these men don Ming dynasty clothes and a high hat called *t'ieh sha mao* (鐵紗帽). They enter the magistrate's office, give congratulations, and receive food and wine, with silver medals for the year, then they leave the city,

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647 796 the magistrate following. In a selected field an old farmer and his wife await them. The magistrate ploughs his seven furrows, the farmer sows some grain, the wife bears a basket of food for him, and the couple receive a silver medal.

The ...st of *ch'un kuan* is bought for a fixed sum and may be held for life. It gets an annual payment from the magistrate. (See under *Four Seasons.*)

At the end of the year the official seals are sealed up and are brought into use again at the middle of the first moon. (See under *New Year.*)

647 The literary examinations, *k'ao k'o* (考課), have been much changed lately and much chaos has resulted; hence a few notes on the old system must suffice.

Chi (季)*k'o* examinations were held in the Academy at the four seasons, the subjects being penmanship and composition.

Monthly examinations, *yüeh* (月) *k'o*, were held to select students for the Academy. The Academy head master had great power and could degrade unworthy scholars after examinations, *shih k'o.*

The local gentry also held examinations in the country *hui* (會) *k'o.* Twice in three years an examination, *k'ao shih* (考試), was held to pick out the students fit to proceed to the prefectural examinations. The magistrate had to be shut in with the students in the examination hall, control the examination of the essays and publication of lists of passes.

No public business is done on the anniversaries of the deaths of former emperors, *shou chi ai* (守忌哀).

[796] On the anniversaries of the accession of former emperors, the magistrate wore court dress, worshipped the *wan sui p'ai*, but did not stop work. The birthdays of emperor, of empress, of empress-dowager and heir-apparent were similarly observed. At an emperor's death the magistrate had to sit in straw, *tso ts'ao* (坐草), for a certain period.

At the proper time a tablet is hung in the yamen announcing "No litigation in harvest time," *nung mang t'ing*

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sung (農忙停訟). Another informs the public that corporal punishment is lightened on account of hot weather, *k'u jê chien hsing* (酷熱減刑).

Notices are also hung up when the official is busy with examination or has gone out on public business.

When sitting in court the three characters, 清愼勤 "pure, careful, diligent," are hung over the magistrate's head; and over the entrance to the imperial court in the yamen is inscribed 天理國法民情. "Heaven's rectitude, the country's laws, the people's rights."

A common saying is, "The yamen opens like the character 八; if you've right but no money, don't enter." Yet the Chinese are keen litigants and go to court on very slight grounds.

A magistrate must give up office for three years on his father's or mother's death, *ting yu* (丁憂) and *t'ng chien* (丁艱). Not to notify such death is *ch'i chün* (欺君), to deceive the emperor; to try to re-enter the official service before the three years are ended is *man ch'in* (慢親), cheating kindred.

Followers of the Yamen

There is a clear distinction between those who belong to the yamen and those who follow the official.

The bureau of civil affairs, *li fang* (吏房), attends to salaries and scholars' appointments, and keeps a list of graduates in the district and of those eligible for higher examinations.

It notifies the Imperial court when a scholar has attended all examinations till he is sixty years old; a degree is then given him, and if he goes on till he is eighty, he will receive a yellow riding-jacket and a dragon-headed walking-stick.

The bureau of revenue and population, *hu fang* (戶房), gathers taxes, counts the families and registers headmen. It gets a commission on the sale of property.

The bureau of rites, *li fang* (禮房). All cases of broken contracts, divorces, seduction, kidnapping, etc., come to this office. It also keeps a list of scholars without degrees.

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• 647 The military bureau, *ping fang* (兵房), attends to enlistment, drilling and feeding of soldiers, the housing of troops on the march, the arming and conduct of militia and the quarrels and lawsuits of the soldiery.

The bureau of works, *kung fang* (工房), looks after the city wall and gates and all public buildings and attends to disputes about boundaries and graveyards.

The granary bureau, *ts'ang fang* (倉房), is responsible for the public granaries, the buying and selling of rice and its distribution in time of famine or siege.

The tea and salt bureau, *yen ch'a fang* (鹽茶房). The trade is a monopoly in each city and the bureau looks after the revenue from this source.

The punishments bureau, *hsing fang* (刑房), attends to litigation about deaths by violence; the *wu tso* (仵作), is officially attached to it.

The litigation registry bureau, *ch'êng fa fang* (承發房), records all the indictments, etc., and is responsible for indictments passing up into the magistrate's hands.

The interpretation bureau, *i ch'ing fang* (夷情房), only exists in frontier districts, where the aboriginal tribes make it necessary.

Yamen Runners.

In Ch'ung ch'ing chou districts there are some 3,000, with 300 *ling pan* (領班), or superiors: there they control the literati. In Kuan hsien the case is reversed, because that district has produced two or three Han-lin scholars, thus raising the status of the literati. Ch'ung ch'ing has only produced *chin shih* (進士). The result is that the yamen runners' oppression is intolerable in one place while it may be mitigated in another.

Warrants may be given to a *ling pan* to call up an accused person, *huan p'iao* (喚票), or to apprehend him, *chü p'iao* (拘票), or for an immediate arrest, *ch'u ch'ien* (出籤), or to summon a man in public service to answer a charge of corruption, *ch'ien ch'uan* (籤傳), or to assemble gentry and public men for consultation, *ch'uan tan* (傳單).

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A tax-gatherer, *liang pan* (糧 班), or his sons, may enter the literary examinations, but not the other yamen underlings.

The *ku pan* (戶 班), or local runner, knows every person in his district and is used in making arrests.

The *p'u pan* (捕 班) are the chief jailor's runners, for catching robbers, and the *tsao pan* (皁 班), or *hou pan* (吼 班), are the "black band" with tall hats, who run shouting before the magistrate's chair, when he goes out on public business.

There are various other bands, messengers, door-keepers, etc., etc.

There is an apprenticeship to this work and often the apprentice suffers for his master's mistakes. If he is beaten, the *ling pan* gives him 400 cash; if he is condemned to the cage he gets 100 per day and 300 cash on release; if he suffers capital punishment, the *ling pan* supports his widow. Many become yamen runners to escape the result of crime, thus eluding the law a little longer. An official can put runners to death and thinks very lightly of doing it.

In some districts there are women thus employed.

Judicial Cases.

A black clothes case, *ch'ing i an* (青 衣 案), is one where execution is certain as soon as the evidence has been given; generally robbery with violence.

A red clothes case, *hung i an* (紅 衣 案), is a difficult case, perhaps of murder; if the accused is clever he may, after years of imprisonment, gain his liberty. If the knife used in a murder cannot be produced the accused cannot be condemned.

Disputes about estates or marriages are called *chêng an* (正 案). Petty quarrels are often pursued in the courts till a family is ruined in seeking justice or revenge.

Cases of rebellion or where human relationships are violated; a wife killing a husband, son killing a father, etc., are seldom dealt with in an open, regular way; they are settled in private, the criminal being done to death by the family clan.

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627 If a thief is killed while entering a house the householder is guiltless; but should he be killed after escaping a hundred yards or so, the killer may suffer for it. Sometimes a thief is killed first and the hole to enter the house is made afterwards. Sometimes a corpse is carried on to another man's land to get him into trouble. One who lends a knife for a murder may be convicted of murder.

Presenting petitions or indictments.

647 694 There are official, appointed copyists who prepare and stamp nearly all documents going to the official.

The *hung ping* (紅 稟), red petition, is a statement of public business, used in government circles only and costing only the price of the paper, since the government employees may write their own statements.

694 The *pai ping* (白 稟), petition on white paper, is used by headmen or heads of bureaus in notifying business to the official.

The *hung pai ping*, red and white petition; if the official keeps the red and returns the white it means approval, the reverse means that trouble may be looked for.

A petition has to pass through the hands of eighteen persons before reaching the magistrate, and as many more afterwards before it reaches the archives.

There are men who live by stirring up strife and lawsuits; they are called *sung kun* (訟 棍), pettifoggers, *ch'ien kou chiang* (牽 狗 匠), dogleaders, and other names.

The *yüan kao* (原 告), plaintiff, formerly paid some 3,200 cash official fees and the *pei kao* (被 告) an indefinite amount to the runners.

Eyewitnesses, *kan chêng* (干 證), are named in the indictment, but only after getting their consent.

An indictment or petition must be written on special, lined paper, *ta kê shih* (大 格 式), holding some 120 characters; it costs from 100 to 300 cash according to the official. A smaller sheet may be used by the poor. The magistrate keeps a copy, *fu chuang* (付 狀), for reference, if necessary, after he has left the district.

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695 693 a box of vermilion ink for signing official documents. These things are called the official's life (性命), *hsing ming*, life, or his 衣, 飯, 碗 *i, fan, wan*, clothes, rice, and bowl.

• 647 693 On going out his sedan chair is carried by four men, he wears official garments, beads and hat; criers go before and men with boards on which are written his literary degrees and former offices; assistants follow on horseback, and every one, whether riding or on foot, must get out of the way as he passes.

The district magistrate is really the strongest official in a province and has life and death in his hands. He is called the father and mother official, *fu-mu kuan*, and *chêng t'ang* (正堂).

His first class confidential secretary is called *hsing min shih yeh* (刑民師爺) by the official and *hei pi* (黑筆) *shih yeh* by the people. He is also called *mu p'in* (幕賓), or district steward.

The tutor in the magistrate's family ranks with him; at a feast only one of them can be present as he must have the chief seat; the other has a table sent to his own quarters.

The *shu chi* (書記), or *t'ieh hsieh* (帖寫), letter-writer and indictment-maker for the official, is usually a student for the secretariat.

There is an apprentice to the secretary, *mao kai tzŭ shih yeh* (毛蓋子師爺).

Between the official and people is a middleman called *ta yeh* (大爺) *mên kao* (門稿) and other names. He is said to be the magistrate's throat since all business passes through him. His assistant is the *kuan an san yeh*, manager of law-suit documents.

The clerk who puts the red ink finishing touches on official papers is called *ch'ien ya* (簽押). When the seals are used the magistrate or his wife sits by to prevent their unauthorized use.

The *shui ch'i* (稅契) receives taxes on sales of property.

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The yamen food is in three grades; the official and secretaries have the first class, the *ta yeh* the second, the watchmen and other menials the third. 647 693

There are a few other employees in a yamen besides those above named.